

REMARKS

Subject to the Examiner's entry of the amendments herein, claims 1-11, 23 and 29-32 are pending in the application. Claims 1 and 23 have been amended, claims 12-16 have been canceled, and claims 29-32 have been added. In the above Non-Final Office Action the Examiner has rejected claims 1-11 and 23 in the manner discussed below.

Claim Rejections Under 35 U.S.C. §101

The Examiner has rejected claims 1-11, 12-16 and 23 under 35 U.S.C. §101 as being directed towards non-statutory subject matter.

Applicant respectfully disagrees with the Examiner's rejection of claims 1-11; however, in order to further prosecution, Applicant has amended claim 1 to further clarify a useful, concrete and tangible result (i.e., "outputting the data file"). By way of example, paragraph 0075 of the detailed description describes one embodiment in which an outputted file is received by a user 635 who "can use the RSM data file's contents to exploit the image...." Accordingly, the outputting of a data file provides at least one useful, concrete and tangible result. The embodiment described above is only offered as an example of one useful, concrete and tangible result and is not included to further limit the claims.

Applicant respectfully disagrees with the Examiner's rejection of claim 23; however, in order to further prosecution, Applicant has amended claim 23 to further clarify a practical application in the technological arts per MPEP 2106 IVB2(b)(ii) (i.e., "for use in image data processing"). By way of example, paragraph 0051 of the detailed description describes one embodiment in which a replacement sensor model "provides greatly improved image exploitation...." Accordingly, the greatly improved image exploitation provides a practical application in the technological arts per MPEP 2106 IVB2(b)(ii). The embodiment described above is only offered as an example of one practical application in the technological arts and is not included to further limit the claims.

In accordance with the remarks above, Applicant respectfully requests reconsideration of the claim rejections under 35 U.S.C. §101.

CONCLUSION

Applicant respectfully requests consideration of the remarks herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

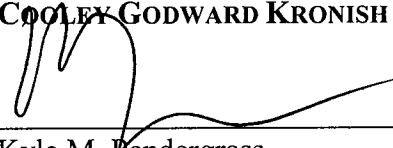
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

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COOLEY GODWARD KRONISH LLP
ATTN: Patent Group
1200 19th Street, NW, 5th Floor
Washington, DC 20036
Tel: (858) 550-6000 or
Fax: (202) 842-7899

Respectfully submitted,
~~COOLEY GODWARD KRONISH LLP~~

By:



Kyle M. Pendergrass
Reg. No. 57403